

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Sr. No.103

CRM-M-47478 of 2021

Date of Decision: 23.11.2021

Harkrishan Singh

.... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Karnail Singh Ahhi, Advocate
for the petitioner.

SANT PARKASH, J. (ORAL)

The instant petition has been filed under Section 482 Cr.P.C. seeking direction to official respondents No.1 and 2 to conduct fair and impartial investigation and take appropriate action in accordance with law against respondents No.3 and 4 in the complaint/representation dated 09.10.2021 (Annexure P-11) submitted by the petitioner.

Learned counsel for the petitioner submits that the petitioner and respondents No.3 and 4 are kin as well as partners of a firm, running a business of commission agency at New Grain Market, Sri Muktsar Sahib under the name style of M/s Sunder Singh, Daya Singh Commission Agents. They entered into a family settlement dated 04.01.2017 (Annexure P-1) with regard to the partnership firm and properties but after the execution of the said settlement, respondents No.3 and 4 started harassing, threatening and attempting to claim their right over the share of properties given to the petitioner as per the settlement. On 04.08.2021, respondents No.3 and 4 along with three other persons visited the land belonging to the petitioner at Village Chak Madarsa, Sri Muktsar Sahib and started damaging and harvesting gawari crop, which was about to reap and also threatened the

petitioner that they would eliminate him to take possession over the land. The petitioner filed a complaint dated 05.08.2021 (Annexure P-5) against respondents No.3 and 4 before Deputy Superintendent of Police, Malout and also filed a Civil Suit on 16.08.2021 bearing No.CS/453/2021, for declaration, rendition of accounts and sought mandatory and permanent injunction against respondents No.3 and 4. The said suit is pending adjudication before Ld. Civil Judge (Sr. Division), Sri Muktsar Sahib awaiting written statement and reply to the stay application. During the pendency of the said Civil Suit as well as complaint dated 05.08.2021 filed by the petitioner, the respondents No.3 and 4, in order to harass the petitioner, filed a complaint against him before Economic offence wing, Sri Muktsar Sahib. They are constantly harassing the petitioner on the pretext that if the petitioner does not withdraw the aforesaid Civil Suit, they would eliminate him and take the possession of the land and also implicate him in false criminal case. Consequently, the petitioner submitted a representation dated 09.10.2021 to the Director General of Police, Sector 9, Chandigarh with a copy to SSP, Muktsar Sahib but till date, no action has been taken on the said representation.

The limited prayer in the present petition is that a direction be issued to the official respondents to decide the representation of the petitioner in an expeditious manner.

Notice of motion.

Mr. Tanvir Joshi, Assistant Advocate General, Punjab accepts notice on behalf of respondents No.1 and 2 and has no objection if an appropriate direction be issued for deciding the representation of the petitioner.

In view of the above, the instant criminal writ petition is disposed of with a direction to respondent No.2–Senior Superintendent of Police, Sri Muktsar Sahib to decide the representation dated 09.10.2021 (Annexure P-11) addressed to the Director General of Police, Sector 9, Chandigarh, within a period of two weeks from the date of receipt of a copy of this order.

Registry is directed to send a copy of this order along with copy of the petition and above said representation to respondent No.2-Senior Superintendent of Police, Sri Muktsar Sahib for requisite compliance within the time period granted by this Court.

**(SANT PARKASH)
JUDGE**

23.11.2021
Maninder

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No